

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

07 CIV 8650

-----X  
ERIC GROVE  
P.O. Box 46843  
Las Vegas, Nevada 89114

CIVIL ACTION  
Index No.

JURY TRIAL DEMANDED

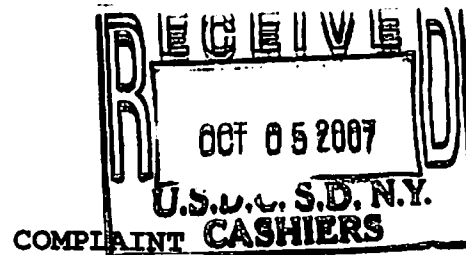
v.

BEAN DREDGING LLC  
1055 St. Charles Avenue., Suite 500  
New Orleans, Louisiana 70130

and

BEAN EXCAVATIONS LLC  
1055 St. Charles Avenue., Suite 500  
New Orleans, Louisiana 70130

C.F. BEAN, LLC  
1055 St. Charles Avenue., Suite 500  
New Orleans, Louisiana 70130



(WAIVER OF FILING FEE  
28 USC SECTION 1916)

-----X  
Plaintiff hereby claims of the defendant a sum in excess  
of One Hundred and Fifty Thousand Dollars (\$150,000.00) in damages  
upon the following causes of action:

1. Plaintiff is a seaman.
2. This action is brought pursuant to the Maritime Law  
of the United States as modified by the Jones Act, 46 U.S.C. §§688,  
et seq.
3. At all times material hereto, one or more of the  
defendants were doing business at the Brooklyn Naval Yard, State  
of New York.
4. At all times material hereto, plaintiff was in the  
employ one or more of the defendants as a deck hand at the rate of  
pay and for the terms as set forth in his contract of employment.

5. On or about July 21, 2006, while at sea, plaintiff suffered injuries while under the employment of one or more of the defendants.

6. Plaintiff's injuries were caused by the negligence of one or more of the defendants, their agents, servants, workmen and employees, by the unseaworthiness of the vessel, and by one or more of the defendants' breach of their obligation under the circumstances.

7. Solely by reason of the negligence of one or more of the defendants, plaintiff sustained personal injuries.

**WHEREFORE**, plaintiff demands judgment against one or more of the defendants in excess of the sum of One Hundred and Fifty Thousand Dollars (\$150,000.00), with costs and interest, and brings this action to recover same.

SECOND CAUSE OF ACTION

In Admiralty

Plaintiff claims of one or more of the defendants maintenance and cure and wages in such amount as may be determined by the Court upon the following cause of action:

8. Plaintiff repeats and realleges each and every allegation contained in paragraphs 1 through 7, inclusive, of this Complaint with the same force and effect as if fully set forth and repeated herein.

9. Plaintiff, by virtue of his services upon the said vessel, claims maintenance and cure and wages for the period of this

disability in an amount which to your Honorable Court shall deem just and proper upon the trial of this cause.

10. All and singular, the premises contained herein are true and within the admiralty and maritime jurisdiction of the United States and this Honorable Court.

**WHEREFORE**, plaintiff prays that judgment be entered against one or more of the defendants for such maintenance and cure and wages as the Court may determine to be due and owing upon the trial of this cause, and for such interest, costs and counsel fees as the Court may deem just and proper.

Dated: New York, New York  
October 4, 2007

BY: 

Michael H. Zhu, Esquire  
Michael H. Zhu, Esquire P.C.  
14 Wall Street, 22<sup>nd</sup> Floor  
New York, New York 10005  
Attorney for Plaintiff

Of Counsel:  
Rudolph V. DeGeorge, II, Esquire  
BARISH◆ROSENTHAL  
Bell Atlantic Tower  
1717 Arch Street, Suite 4020  
Philadelphia, PA 19103  
(215) 923-8900

**ATTORNEY'S VERIFICATION**

The undersigned, an attorney admitted to practice in the United States District Court, Southern District of New York: That the undersigned is a member of the firm of Michael H. Zhu, Esq. P.C., attorneys for plaintiff Eric Grove, in the within action; that the undersigned has read the foregoing Verified Complaint and knows the contents thereof; that the same are true to affirmant's own knowledge, except as to the matters therein stated to be alleged on information and belief; and as to those matters affirmant believes them to be true.

The undersigned further states that the reason this affirmation is made by the undersigned and not by plaintiff is that the plaintiff resides outside the state where the undersigned maintains his offices.

The grounds of affirmant's belief as to all matters not stated to be upon affirmant's knowledge, are as follows: books, records, correspondence, investigation and other documentation in the possession of the undersigned.

The undersigned affirms that the foregoing statements are true, under the penalty of perjury.

Dated: New York, New York  
October 4, 2007

  
Michael H. Zhu

Index No. Year RJ1 No. Hon.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ERIC GROVE,

Plaintiff,

-against-

BEAN DREDGING LLC, BEAN EXCAVATIONS LLC, and C.F. BEAN, LLC  
Defendants.

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VERIFIED COMPLAINT

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MICHAEL H. ZHU, ESQ. P.C.

*Attorneys for Plaintiff Eric Grove*

*Office and Post Office Address, Telephone*

14 WALL STREET, 22<sup>ND</sup> FLOOR  
NEW YORK, N.Y. 10005  
(212) 227-2245

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To

Signature (Rule 130-1.1-a)

.....  
Print name beneath

Attorney(s) for

---

Service of a copy of the within

is hereby admitted.

Dated,

.....  
Attorney(s) for

---

Please take notice

☐ NOTICE OF ENTRY

that the within is a (*certified*) true copy of a  
duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order  
settlement to the HON.  
of the within named court, at  
on

of which the within is a true copy will be presented for  
one of the judges

at

M

Dated,

Yours, etc.

MICHAEL H. ZHU, ESQ.

*Attorneys for plaintiff Eric Grove*

*Office and Post Office Address*

14 WALL STREET, 22<sup>ND</sup> FLOOR

NEW YORK, N.Y. 10005

To

Attorney(s) for

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Eric Grove

SUMMONS IN A CIVIL ACTION

Bean Dredging LLC, <sup>V</sup> Bean Excavations LLC and  
C.F. Bean, LLC

CASE NUMBER:

07 CIV 8650

TO: (Name and address of Defendant)

Bean Dredging LLC  
1055 St. Charles Avenue., Suite 500  
New Orleans, Louisiana 70130

JUDGE KOELTL

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Local Counsel	Of Counsel
Michael H. Zhu, Esquire P.C.	Rudolph V. DeGeorge, II, Esquire
14 Wall Street, 22nd Floor	BARISH ROSENTHAL
New York, New York 10005	1717 Arch Street, Suite 4020
	Philadelphia, PA 19103

an answer to the complaint which is served on you with this summons, within 30 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

OCT 05 2007

CLERK

*Wanda L. Luntz*

DATE

Format m/d/yyyy

(By) DEPUTY CLERK

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UNITED STATES DISTRICT COURT

Southern

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Eric Grove

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V.

Bean Dredging LLC, Bean Excavations LLC and  
C.F. Bean, LLC

CASE NUMBER:

**07 CIV 8650**

**JUDGE KOELTL**

TO: (Name and address of Defendant)

Bean Excavations LLC  
1055 St. Charles Avenue., Suite 500  
New Orleans, Louisiana 70130

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

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UNITED STATES DISTRICT COURT

Southern

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V.

Bean Dredging LLC, Bean Excavations LLC and  
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CASE NUMBER:

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C.F. Bean LLC  
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Local Counsel  
Michael H. Zhu, Esquire P.C.  
14 Wall Street, 22nd Floor  
New York, New York 10005

Of Counsel  
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J. MICHAEL McMAHON

OCT 05 2007

CLERK

*Marcos Quintero*

DATE

Format m/d/yyyy

(By) DEPUTY CLERK